REMARKS

In an office action mailed March 5, 2003 (paper no. 9), claims 1-3, 5-8, and 10-13 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. patent 5,832,451 granted to Flake et al. ("*Flake*"). Claims 15-19 were rejected under 35 U.S.C. 102(a) as being anticipated by "Hotel Reservations Network Taps Pegasus Systems to Expand Online Hotel Reservations Capabilities Agreement; Adds 22,000 Hotels to HRN's Consumer Website," PR Newswire, New York, Sept. 30, 1998 ("*HRN*"). Claims 4, 9, and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Flake* in view of *HRN*. Claim 20 was rejected under 35 U.S.C. 103(a) as being unpatentable over *HRN* in view of *Flake*. Claims 21-22 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Flake* in view of U.S. Patent No. 5,832,452 granted to Feldman (hereinafter "*Feldman*"). Claims 23 through 25 were rejected under 35 U.S.C. 103(a) as being unpatentable over *HRN* in view of *Feldman*. These rejections are respectfully traversed.

Rejections Under 35 U.S.C. 102

Claims 1-3, 5-8, and 10-13 were rejected under 35 U.S.C. 102(b) as being anticipated by *Flake*. In particular, it is alleged that Flake discloses a "master reservation interface system receiving the update data from the reservation data system and transmitting the update data to the reservation data system interface." Claims 15-19 were rejected under 35 U.S.C. 102(a) as being anticipated by *HRN*. In particular, it is alleged that *HRN* discloses "storing reservation data reflecting the current status of two or more properties from two or more reservation data systems in a database." These rejections are respectfully traversed.

Flake fails to provide a prima facie basis for the rejection of claims 1-3, 5-8, and 10-13, because it fails to disclose each element of the claimed inventions. In regards to claim 1, *Flake* fails to disclose "a reservation data system interface receiving reservation inventory data and inventory update data from two or more reservation systems; and a master reservation system coupled to the reservation data system, the master reservation system receiving the reservation inventory data and storing the reservation inventory data in a database, the master reservation system receiving the inventory update data and updating the database with the inventory update data; a user interface system coupled to the master reservation system, the user interface system receiving reservation request data and providing updated reservation inventory data in response

to the reservation request data; and wherein the inventory update data is generated in real time as each reservation system is updated to reflect current inventory." Instead, *Flake* discloses a travel agency 12 that interfaces with a plurality of computer reservation systems 14. A business entity profile 18 or individual profile 20 is used to interface with each of these computer reservations systems 14, but reservation data and update data from the computer reservation systems is not stored at travel agency 12 other than that associated with reservations that have already been made. "System 10 maintains the business and individual entity profile information, along with all available customer reservation information, in the relational database." *Flake*, col. 4, lines 4-6. System 10 does ***not*** maintain reservation inventory information. "Preferably, the inventory information provided by computer reservation systems 14 is ultimately received for processing by system 10. Generally, system 10 preferably functions to centralize the travel service information received from each of computer reservation systems 14." *Flake*, col. 3, lines 32-37. Thus, in order to make a reservation using the system of *Flake*, it is necessary to interface with each of the different computer reservation systems 14.

In contrast, claim 1 allows a user to make a reservation without interfacing with two or more different computer reservation systems. A reservation data system interface receives reservation inventory data and inventory update data from two or more reservation systems. The reservation inventory data can include but is not limited to room availability data, and the inventory update data and include but is not limited to changes to the room availability data that result from reservations made at the hotel or by other systems. Likewise, claim 8 provides storing reservation inventory data from two or more reservation data systems in a database; receiving inventory status update data from one or more of the reservation data systems in real-time as such inventory status update data is implemented in the associated reservation data system; updating the database with the inventory status update data and storing the inventory status update data with an associate sequence number. Thus, the system of claim 1 and the method of claim 8 eliminate the need to query each computer reservation system and the associated delay for such queries, while maintaining the reliability of the data. As to claim 1, a master reservation system coupled to the reservation data system receives the reservation inventory data and inventory update data and stores the reservation inventory data and inventory

update data in a database, such that a user interface system coupled to the master reservation system can receive reservation request data and providing updated reservation inventory data in response to the reservation request data. *Flake* utterly fails to disclose this, and requires users to interface with each computer reservation system 14 to receive updated reservation data in response to the reservation request data. Thus, *Flake* not only fails to disclose this feature, it fails to provide any motivation to be combined with other art to provide this feature.

Claim 2 includes a monitoring system storing each set of inventory update data and sequence number data associated with the set of inventory update data. The Examiner argues that "the system updates the customer's PNR with the most current travel arrangement information. Therefore the system is updated in sequence as changes or updates are presented." In fact, such is not the case if, say, the CRS 14 of *Flake* were to send an update to agency 12 when agency 12 was unavailable (which, incidentally, is something that the system of *Flake* is not capable of doing, as the CRS 14 can only provide data in response to queries from the agency 12), such as to make a hotel reservation, and then send a subsequent update when agency 12 is available again, such as to upgrade the reservation. The system of *Flake* would be unable to determine that there was a missing transaction, and would instead return an error message that there is no reservation to upgrade. By storing each set of inventory update data and sequence number data associated with the set of inventory update data, the present invention would allow the database to be reconstructed to the point in time when it became unavailable. Thus, *Flake* not only fails to disclose this feature, it fails to provide any motivation to be combined with other art to provide this feature.

HRN fails to provide a prima facie basis for the rejection of claim 15, as it fails to disclose "storing reservation data reflecting the current status of available inventory from two or more properties from a room availability database from each of two or more reservation data systems in a database; receiving a request for reservation data for one or more of the properties at a central interface; providing reservation data reflecting the current status of the property; and wherein the available inventory at each of the two or more properties can be independently modified from an interface other than the central interface, and wherein the current status of the

available inventory at each property reflects such independent modifications." HRN itself belies this capability – what need would there be for Pegasus Systems to enter into an agreement with Hotel Reservations Network, "one of the leading Web sources of discount reservations for hotel accommodations during sold-out periods in major cities," if Pegasus already had this discount reservation data available on its system? The Examiner argues that "HRN explicitly discloses a system where room availability status can be queried." Nothing in *HRN* discloses that the room availability status is "reservation data reflecting the current status of the property," "wherein the current status of the available inventory at each property reflects . . . independent modifications." Hotel Reservations Network was only one of a multitude of sources for reservations – claim 15 allows such independent sources to be bypassed by going directly to each room availability database from each of two or more reservation data systems at a central interface. *HRN* shows that the prior art comprised different sources, each allocated blocks of rooms, and each of which had to be queried independently in order to make a reservation. Thus, under the prior art, *HRN* shows that rooms had two states – "allocated" and "reserved." The allocated rooms were provided at a discount to a reservations network, and each hotel had contractual obligations with different hotel reservation groups such as travel agencies or reservations networks to make rooms available and to pay those hotel reservation groups different commissions for renting the rooms. Claim 15 eliminates the need to allocate blocks of rooms to different reservation networks, and allows the inventory at each of two or more properties to be accessed through a central interface.

Rejections Under 35 U.S.C. 103

Claims 4, 9, and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Flake* in view of *HRN*. Claim 20 was rejected under 35 U.S.C. 103(a) as being unpatentable over *HRN* in view of *Flake*. In particular, it is acknowledged that *Flake* does not disclose a chain system receiving chain modification data and receiving distressed inventory data, and that *HRN* does not disclose receiving a request for negotiated rate data. Claims 21-22 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Flake* in view of *Feldman*. Claims 23 through 25 were rejected under 35 U.S.C. 103(a) as being unpatentable over *HRN* in view of *Feldman*. These rejections are respectfully traversed.

For the reasons described above, Applicants believe that *Flake* and *HRN* fail to disclose each element of the claimed invention, either alone or in combination. *Feldman* fails to provide any of the missing elements. For example, *Feldman* states that "hotel information database 36 contains stored hotel reservation information on all which participate with the hotel reservation system 10." How is this information stored? How frequently is it updated? Does it contain all of the available rooms for a property, or only an allocated block? No details are provided. As such, *Feldman* in combination with either *Flake* or *HRN*, as appropriate, fails to provide a prima facie basis for the rejection of 21-25, as it fails to provide the missing claim elements.

CONCLUSION

In view of the foregoing remarks and for various other reasons readily apparent, Applicants submit that all of the claims now present are allowable. Entry of these amendments, withdrawal of the rejection and a Notice of Allowance are courteously solicited.

Applicants appreciate the agreement by the Examiner that he would call the undersigned representative for Applicants to arrange a time for a telephone interview to discuss this Amendment After Final.

No additional fee is believed to be due. If any applicable fee or refund has been overlooked, the Commissioner is hereby authorized to charge any fee or credit any refund to the deposit account of Akin, Gump, Strauss, Hauer & Feld, L.L.P., No. 01-0657.

Respectfully submitted,

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